



“Keeping the Trust”
Conservation of Army
Natural and Cultural
Resources

23 September 2003
Scott M. Farley

US Army Environmental Center

Office of Counsel

Scott.farley@us.army.mil

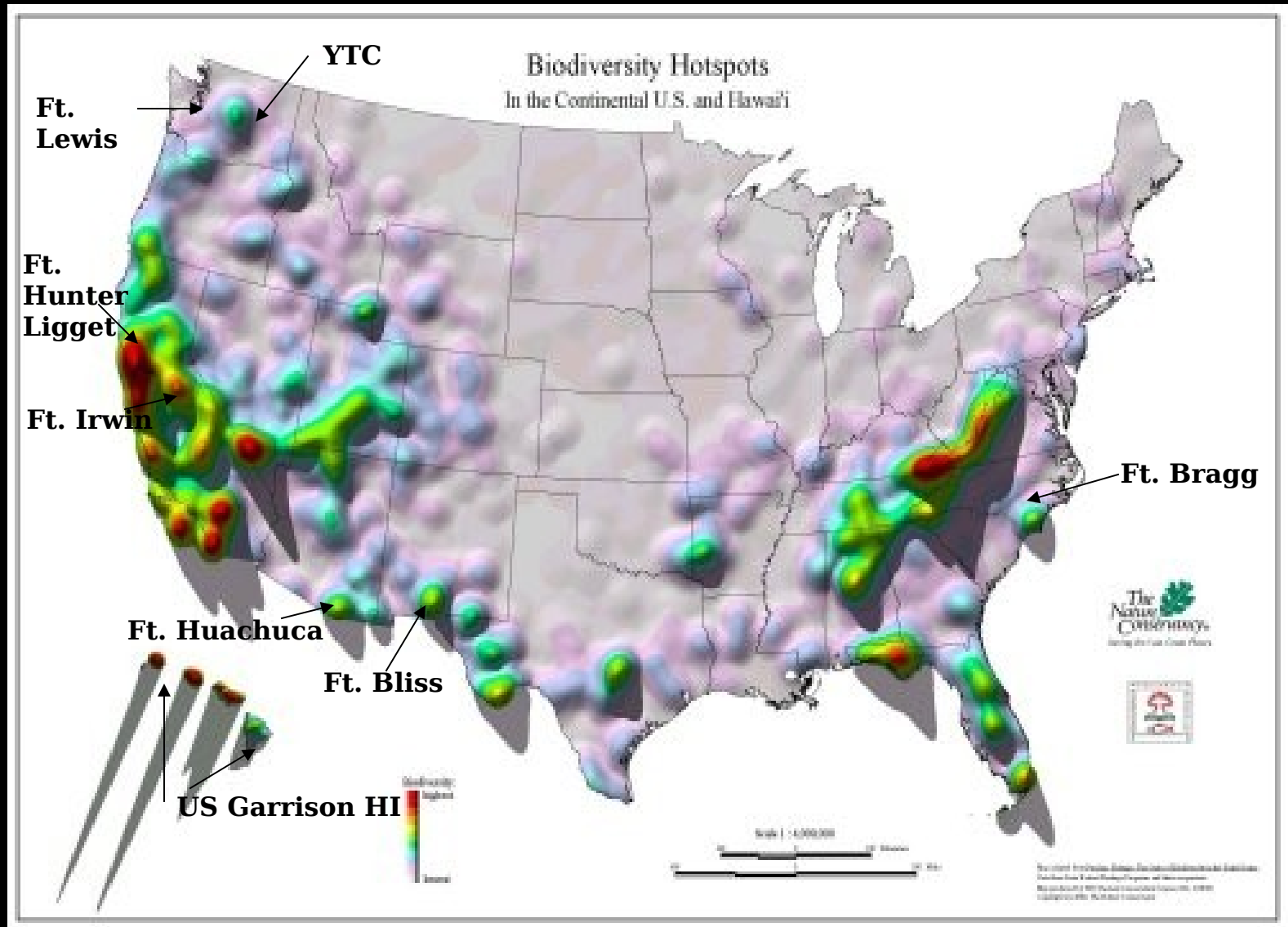
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Objectives

- View the resources we are conserving
- Our obligation defined: A “public trust?”
- General principles of conservation law in practice

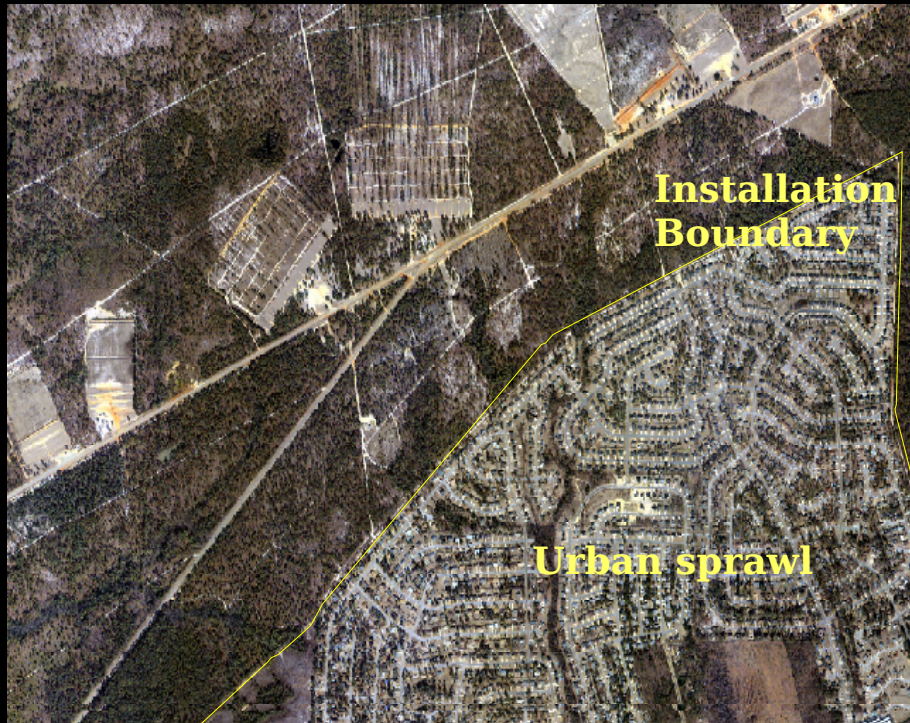
THE ARMY'S NATURAL LANDSCAPE

“Our 17 million acres”

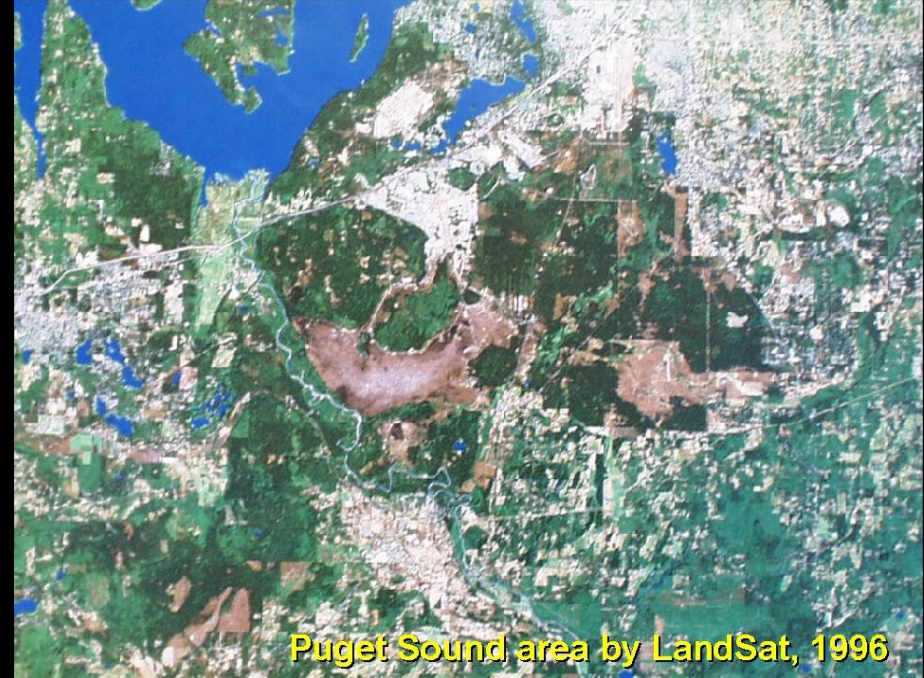


Home is Where the Sprawl Is

Fort Bragg, NC



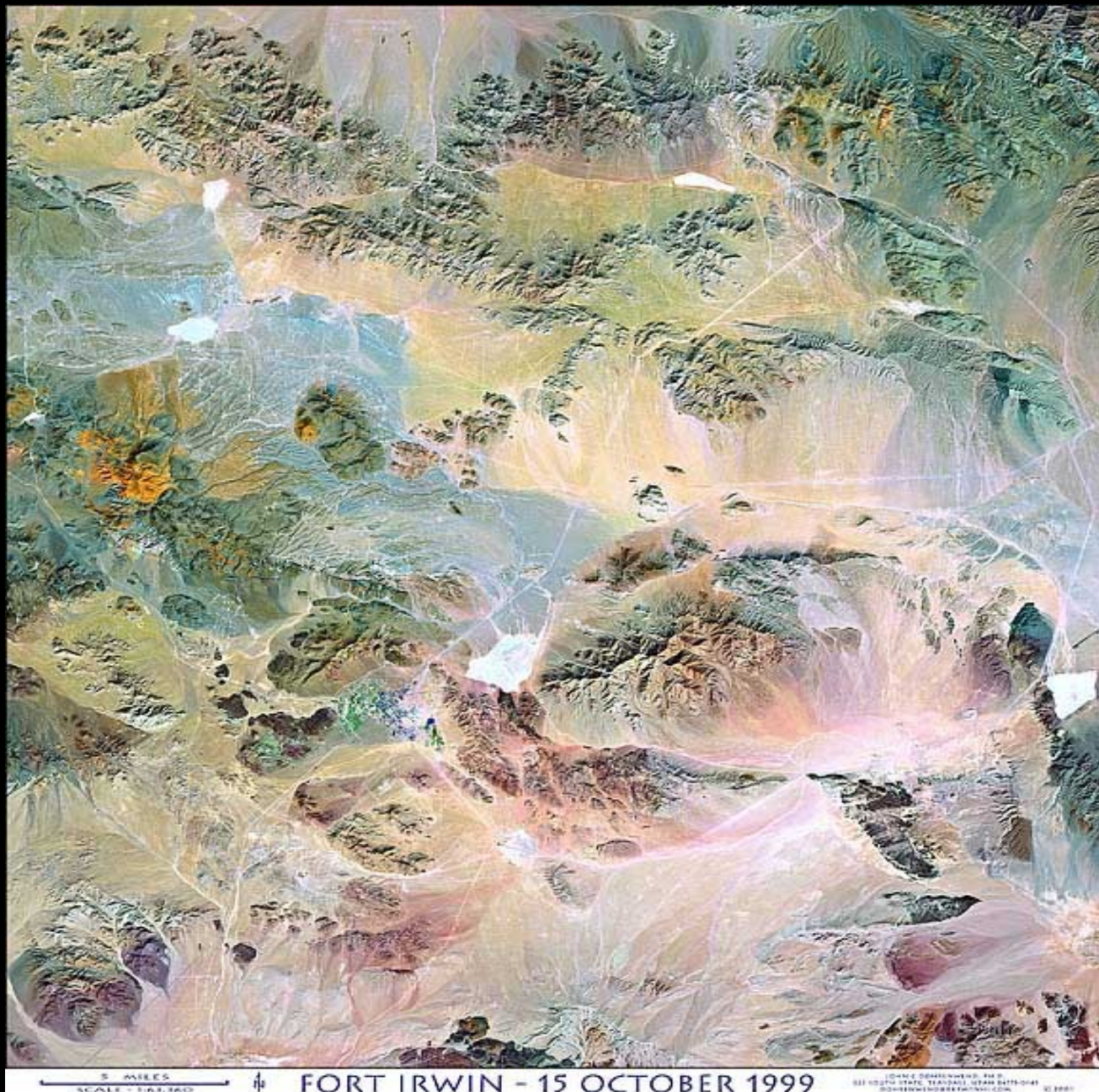
Fort Lewis,
WA



Puget Sound area by LandSat, 1996

the Trust

Mojave Desert: Fort Irwin, CA



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Mojave Desert: Fort Irwin, CA



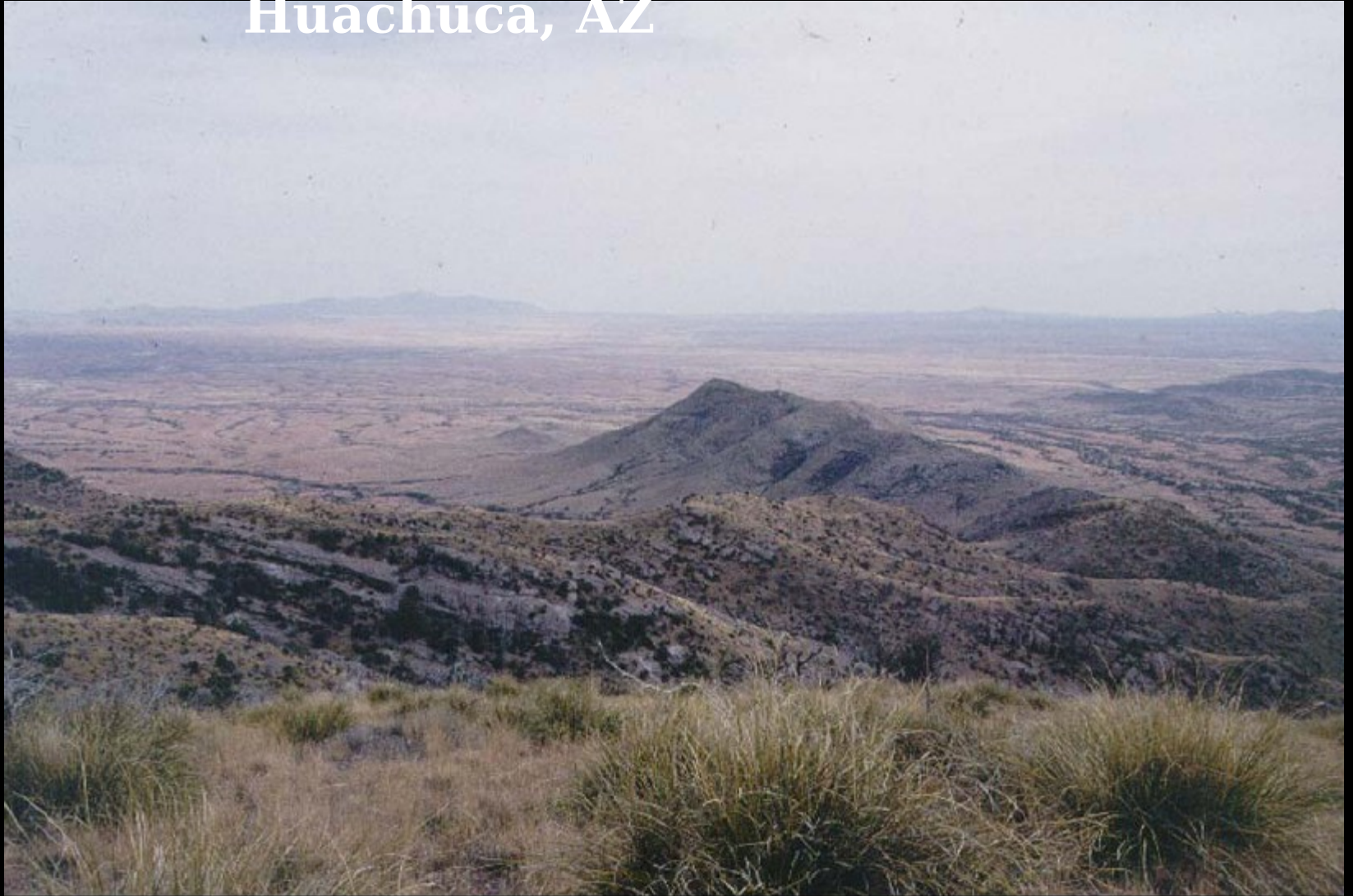
US Troops: Iraqi Desert



The Desert Tortoise



Sonoran Desert: Ft. Huachuca, AZ



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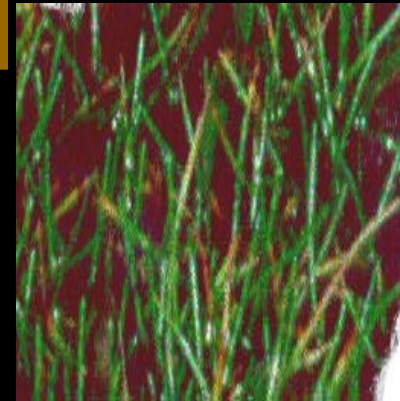


Garden Canyon Creek

Upper San Pedro River Basin



Fort Huachuca's Imperiled Species



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Chihuahuan Desert: Fort Bliss, TX & NM





***North Carolina
Sandhills: For
Bragg***



***North Carolina
Sandhills: Fort
Bragg***

Fort Bragg's *Red Cockaded Woodpecker*



Fort Lewis, WA



Fort Lewis *Old Growth* *Forest*



Fort Lewis Old Growth



Yakima Training Center, WA: *Shrub-Steppe*



Stryker Vehicle Training at YTC





Northern Spotted Owl, Ft.
Lewis



Western Sage Grouse,
YTC

Fort Hunter Liggett: Monterey County, CA



Fort Hunter Liggett: Monterey County, CA

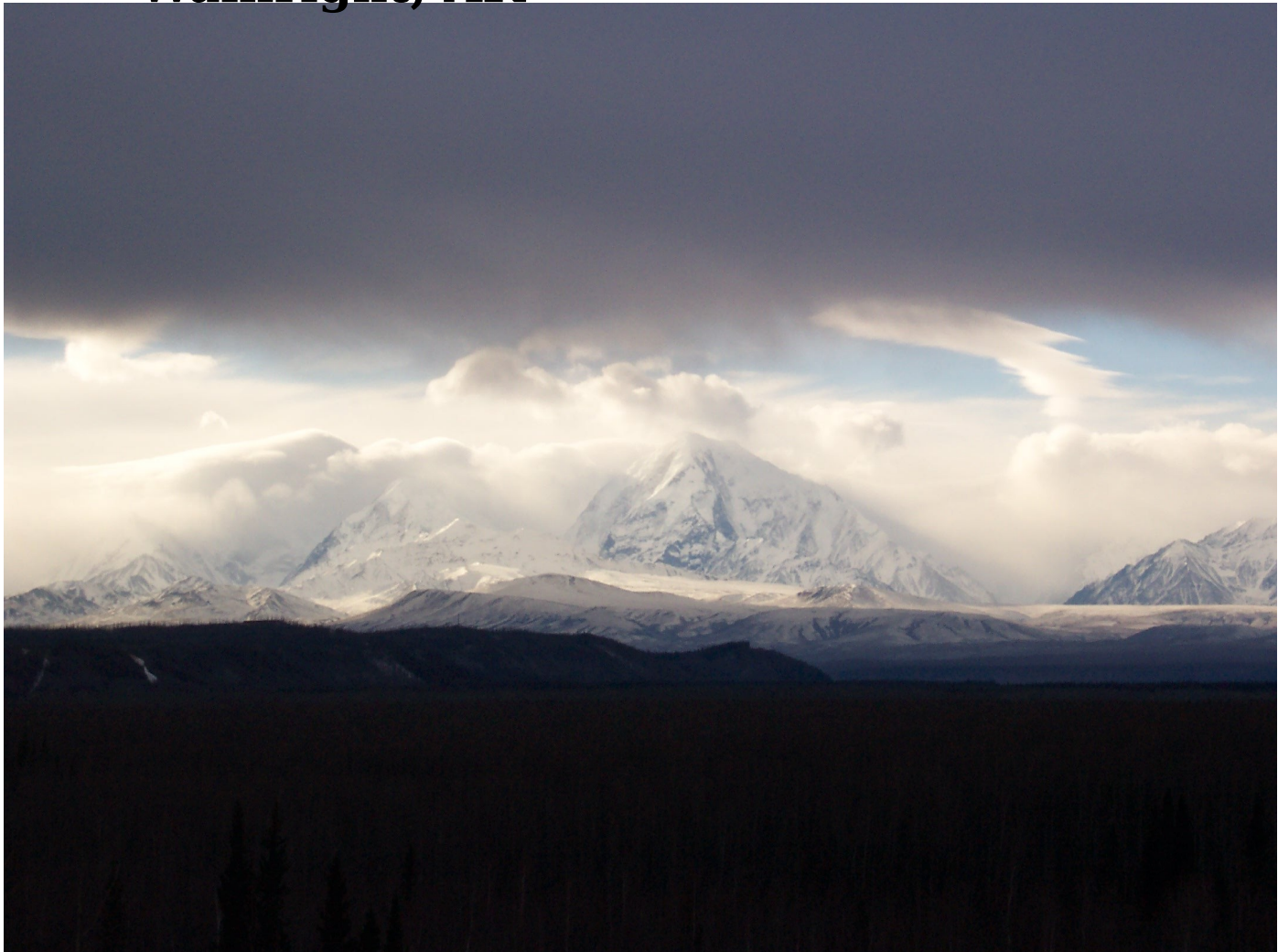


FHL's imperiled species



Photos: Brent Helm, Jones & Stokes Assoc.

Donnelly Training Area, Fort Wainright, AK



Donnelly Training Area, Fort Wainright, AK



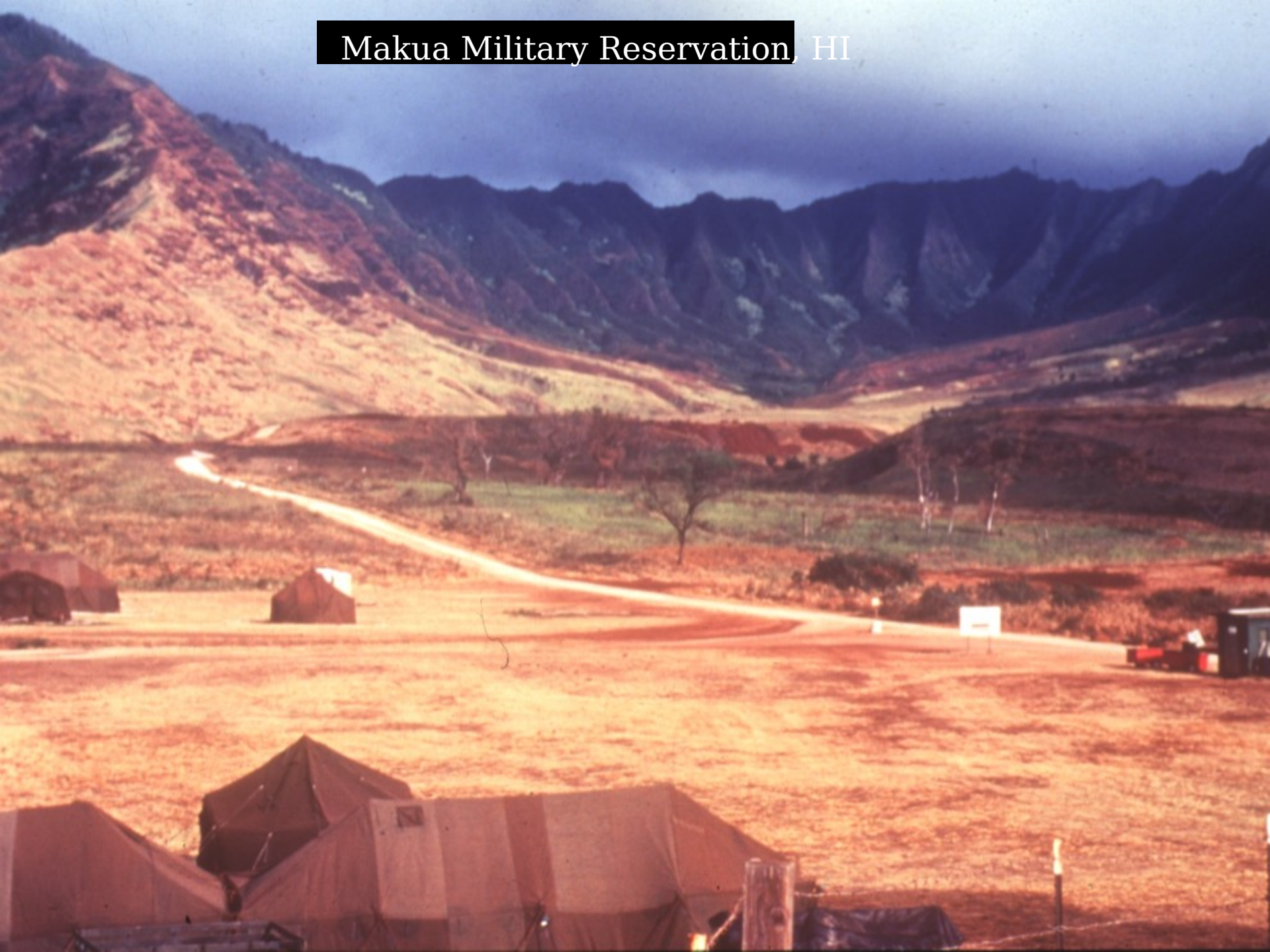
Operation Enduring Freedom: Khyber Pass, Afghanistan



Puhakuloa Training Area, HI



Makua Military Reservation, HI



THE ARMY'S CULTURAL LANDSCAPE

"More history than any other Federal
agency"



Fort Benning

It is the largest, most compact town I ever saw The walls of the houses are constructed of a wooden frame, then lathed and plastered inside and out with a reddish clay or mortar . . . and are neatly covered or roofed with cypress bark or shingles The town appeared to be populous and thriving, full of youth and young children. - William Bartram, July 1776



YUCHI ~ TOWN

The site of Yuchi Town is one of many important historic resources in Georgia and Alabama that Fort Benning protects for future generations.

U.S. Army Infantry Center, Fort Benning, Georgia, Directorate of Public Works, Environmental Management Division
Technical Assistance: Interagency Archeological Services Division, National Park Service

White tanks Conservation Area: Yuma Proving Ground



White tanks Conservation Area: Yuma Proving Ground



Fenced up Horse Canyon Site: Fort Wingate, NM



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Sacred Site: Fort Hood, TX



Sacred site: Fort Wainwright, Alaska



Sacred site: Fort Sill, Oklahoma



Sacred Site: Makua Military Reservation, HI



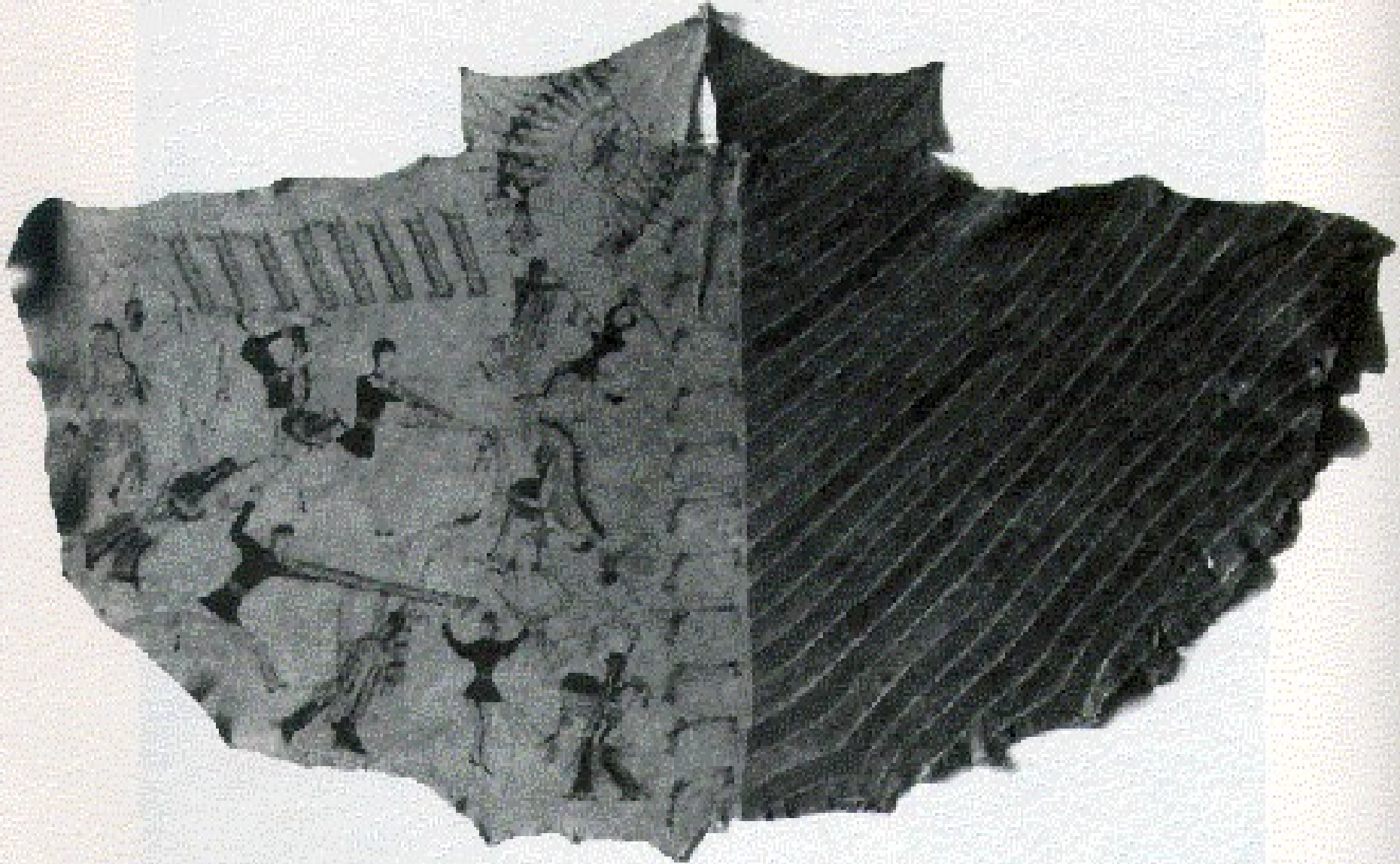
The Revolutionary War Era: Fort Putnam, USMA, NY



USMA, West Point 1965



Westward Expansion: The Frontier Forts

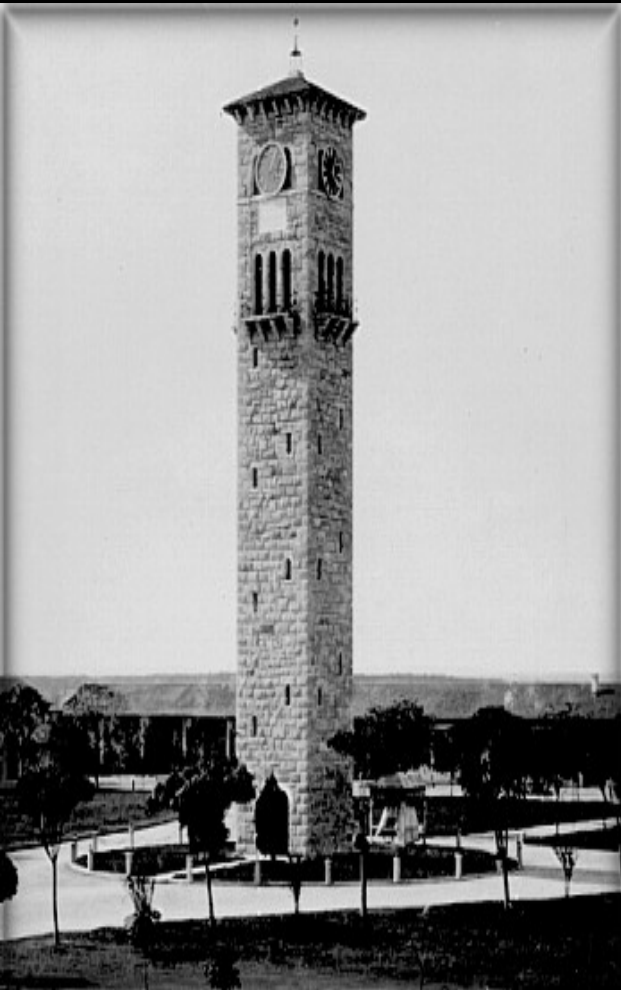


Fort Leavenworth, KA



Fort Sill, OK





Fort Sam Houston, TX

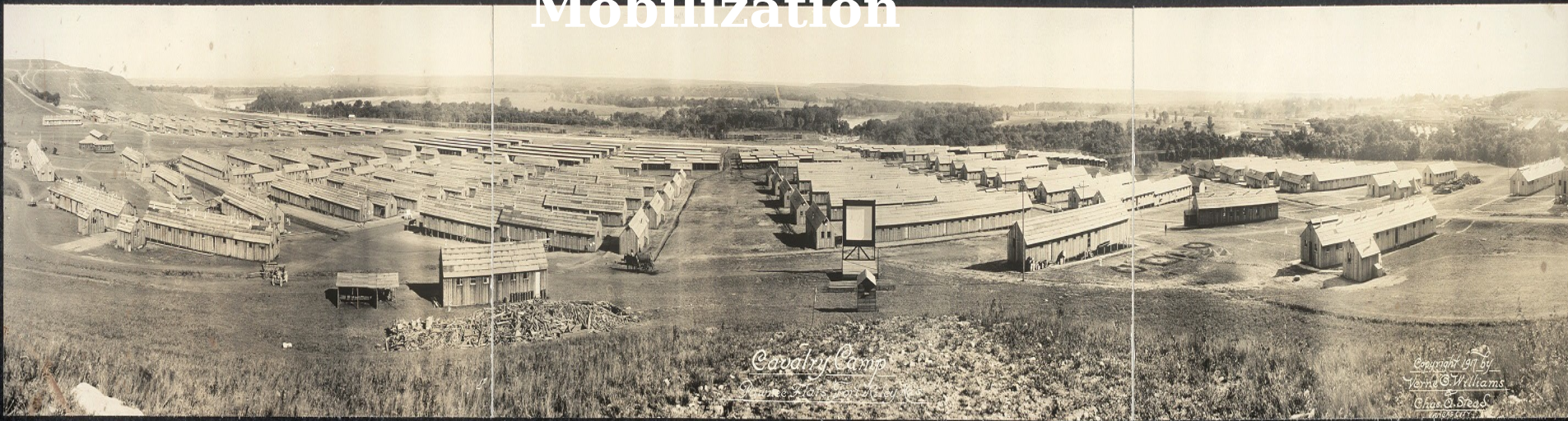
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Carlisle Indian School: Carlisle Barracks, PA



World War I Mobilization



Fort Lewis Cantonment



World War I: Edgewood Arsenal



World War II Mobilization

FIS-4250-28



FIS-4269-23



WWII Era Construction



Fort Riley



Ft. Bragg

Cold War Era: Trinity Site, White Sands Missile Range





**Cold War Era:
Nike Site
Summit: Fort
Wainright, AK**

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Cold War Era Family Housing: Fort Bliss, TX



Anybody Still Awake?

Just a few more thoughts

....

Competition for the Resource



Core Activities:

- **Military Training**
- **Range Construction**
- **ITAM**
- **M ILCON**

Other Activities:

- **Timber Sales**
- **Grazing Programs**
- **Hunting & Fishing**



The Public Trust Relationship

Army: the trustee

The Resource

Public: the owner

Agencies: the parents

NGOs: Guardian and Enforcer

Scope of the Public Trust Obligation

- ~~Common Law~~
- ~~Moral Obligation~~
- Statutes:

- NEPA
- ESA
- CWA 404
- SIKES ACT
- ARPA

- Range Sustainment



Guiding Principles and Random Observations

- Conservation statutes touch everything you do
- Qualitative: squishy
- The “Procedural Myth”
- Keys to success:
 - **Early planning**
 - **Coordination of processes**
 - **Programmatic Approach**
- They actually work



“Conservation is a great moral issue for it involves the patriotic duty of insuring the safety and continuance of the nation.”

**Theodore
Roosevelt**